

AM 100187-2

## DECLARATION AND POWER OF ATTORNEY

Division Application of Serial No. 09/879,283  
As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FUNGICIDAL 5-PHENYL SUBSTITUTED 2(CYANOAMINO) PYRIMIDINES  
the specification of which:

☐ is attached hereto.

☒ was filed on July 9, 2003 as  
Application Serial No. 10/615,352  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

☐ In compliance with this duty, attached is an information disclosure statement.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority-Claimed	
			Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
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Number	Country	Date Filed		

I hereby claim the benefit under Title 35, United States Code, §

120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/211,262</u>	<u>6/13/00</u>	<u>                    </u>
Serial No.	Date	Status
<u>60/231,632</u>	<u>9/11/00</u>	<u>                    </u>
Serial No.	Date	Status
<u>09/879,283</u>	<u>6/12/01</u>	<u>U.S. Patent 6,632,821</u>
Serial No.	Date	Status

I hereby appoint KEIL & WEINKAUF their attorneys and/or agents: Herbert B. Keil, Reg. No. 18,967; Russell E. Weinkauff, Reg. No. 18,495; Gerald H. Bjorge, Reg. No. 32,386; Norman G. Torchin, Reg. No. 34,068; Richard L. Huff, Reg. No. 33,627; Henry R. Jiles, Reg. No. 32,677; Edward T. McCabe, Reg. No. 17,979; Kurt Mullerheim, Reg. No. 16,306; Jay C. Langston, Reg. No. 20,471, the address of all being KEIL & WEINKAUF, 1101 Connecticut Avenue, N.W., Suite 620, Washington, D.C. 20036 (telephone (202)659-0100), with full power to prosecute this application and transact all business in the Patent Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Klaus-Juerger PEES

Full name of sole or first inventor

Klaus Juerger Pees  
Inventor's signature

10.1.04  
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Waldemar PFRENGLE

Full name of second inventor

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Inventor's signature

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Post Office Address

\*\*\*\*\*

Gavin HEFFERNAN

Full name of third inventor

\_\_\_\_\_  
Inventor's signature

\_\_\_\_\_  
Date

Florence, New Jersey

Residence

Great Britain

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Post Office Address



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Full name of sole or first inventor

Inventor's signature

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Waldemar PFRENGLE

Full name of second inventor

Waldemar Pfrengle

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Full name of third inventor

Inventor's signature

Date

Florence, New Jersey

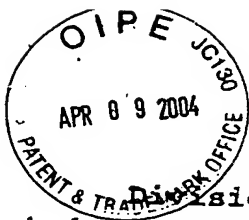
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